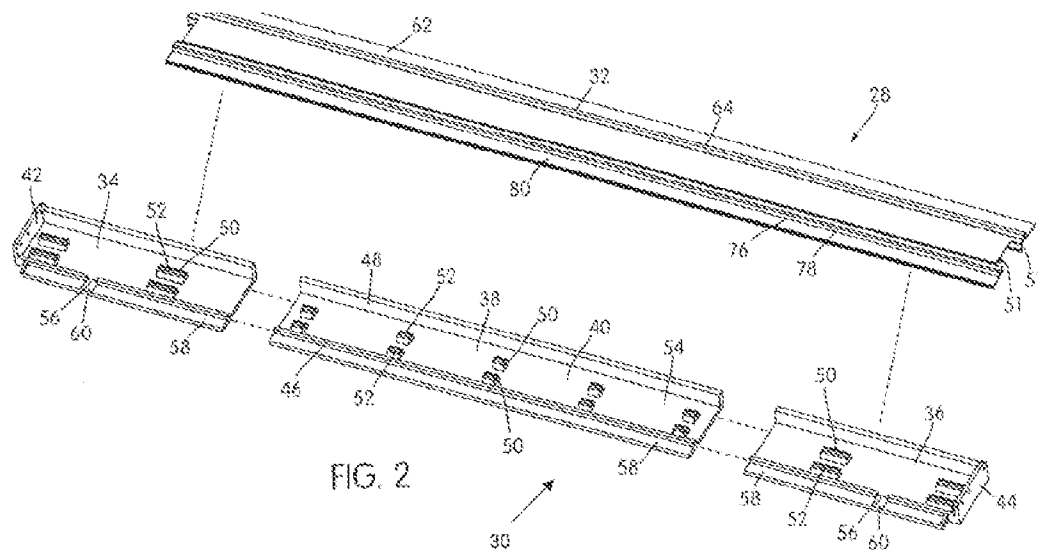


As noted in the specification, these lengthwise sill supports permit the base to be extruded. Baczuk teaches injection molding the 3 separate pieces shown in FIG. 2 including the “intermediate sub-sill portion 38”. In order to make the Baczuk device by extrusion as claimed in claim 10 of the current invention, all of the material between front and rear supports such as 50 and 52 would be removed, such as by post-machining, after an extrusion process. As described in the Baczuk specification, the Baczuk intermediate sub-sill portion was designed to be manufactured by injection molding:

“Turning now to the method of the present invention, the sub-sill 30 is formed from **three separate injection molded components**--a first sub-sill end portion 34, a second sub-sill end portion 36, and an **intermediate sub-sill portion 38**. “[Baczuk at col 8, lines 33-36]



3. Wark describes window support ribs perpendicular to the rear rib (col 5, lines 14-20) or spaced apart supports such as truncated cones (col 6, lines 45-50). Neither of these support features are designed to be manufactured by extrusion.
4. As described in the attached Declaration by inventor, a major reason for the present invention's commercial success is that extrusion permits a lower cost manufacturing,

lower cost stocking and distribution by providing longer lengths of the sill pan, and greater flexibility for cutting a sill pan to a desired length on-site.

5. Wark describes a “window drain”. [Wark Abstract] Baczuk describes a “door sill assembly” [Baczuk Abstract]. There is no motivation to combine these references, and the combination is based on hindsight.

6. Applicant respectfully traverses the rejection of Claims 6 and 7 as being unpatentable over US 6,371,188 to Baczuk in view of US 6,382,925 to Wark in view of US 2004/0139667 to Massey. Massey describes a “threshold and door sill assembly”. [Massey Abstract]. Baczuk describes a “door sill assembly” [Baczuk Abstract]. Wark describes a “window drain”. [Wark Abstract] There is no motivation to combine these references, and the combination is based on hindsight. Massey patent is for a (door) sill. Current invention is for the “sill pan” which is a device that is installed underneath the sill assembly or underneath the window sill for the purpose to drain the water to the exterior. Current invention is for a different product and for a function then Massey’s patent.

7. Applicant respectfully traverses the rejection of Claims 18-20 as being unpatentable over US 6,371,188 to Baczuk in view of US 5,136,814 to Headrick. Claim 18 of the current invention recites extrudable lengthwise rear and front sill supports:

“a upwardly extending rear sill support, and
a upwardly extending front sill support, such that the rear sill support and the front sill support are oriented lengthwise on the sill pan base;”

As described above, Baczuk teaches smaller front and rear support elements that are injection molded. Baczuk teaches away from the current invention. The Headrick patent is for a (door) sill. Current invention is for the “sill pan” which is a device that is installed underneath the sill assembly or underneath the window sill for the purpose to drain the water to the exterior. The current invention is for a different product and for a function then Headrick’s patent.

Declaration of Commercial Success

8. In addition to the arguments presented above, Applicant presents the attached Declaration of Commercial Success which describes how the claimed invention features provide a cost-effective and versatile solution for the building industry. This commercial success is secondary evidence of non-obviousness of the current invention and claims.
9. Applicant argues that claim 1 and its dependent claims are now in condition for allowance.

Thank you for your assistance in this application.

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Respectfully submitted,

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